

NO. 23694

IN THE SUPREME COURT OF THE STATE OF HAWAII

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THE H.E. JOHNSON COMPANY, INC., Plaintiff-Appellant

vs.

EMMA INTERNATIONAL, INC. and  
BANK OF HONOLULU, Defendants-Appellees

and

JOHN DOES 1-50; MARY DOES 1-50;  
DOE PARTNERSHIPS 1-50; DOE CORPORATIONS  
AND OTHER ENTITIES 1-50, Defendants

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APPEAL FROM THE FIRST CIRCUIT COURT  
(CIV. NO. 91-4242)

ORDER DISMISSING APPEAL

(By: Moon, C.J., Levinson, Nakayama,  
Ramil, and Acoba, JJ.)

Upon review of the statements supporting and contesting jurisdiction and the record, it appears that: (1) the August 1, 2000 order granting the motion to dismiss the complaint has not been reduced to a separate judgment, as required by HRCP 58; and, thus; (2) this appeal is premature and we lack jurisdiction. See Jenkins v. Cades Schutte Fleming & Wright, 76 Hawai'i 115, 869 P.2d 1334 (1994). Therefore,

IT IS HEREBY ORDERED that this appeal is dismissed for lack of appellate jurisdiction.

DATED: Honolulu, Hawai'i, December 26, 2000.